

DATE	PROCEEDINGS
1-10-67	Indictment, filed in open Court. b
1-10-67	Record Vote of the Grand Jury, filed in open Court. b
1-10-67	Bond of the defendant in the sum of \$1,000.00, filed; surety - Earl Fore. b
1-17-67	Defendant present in person and represented. Defendant arraigned, receives copy of indictment, waives reading, and enters plea of NOT GUILTY. Defendant waives jury, waiver signed and filed in open court. Case set for non-jury trial. (AEB-J)h
1-25-67	Plaintiff's trial memorandum, filed. g
1-26-67	Case called for non-jury trial on 1-26-67. Defendant files motion for judgment of acquittal in open court. Motion denied. Court orders that the defendant is GUILTY, and he is adjudged GUILTY as charges, and sentencing passed until Tuesday, 2-14-67 at 10:00 A.M. (AEB-J)h
2-1-67	Defendant's motion for new trial, filed. ds
2-1-67	Defendant's brief in support of motion for new trial, filed. ds
2-9-67	Defendant David Earl Fore, present in person and represented by John P. Kerr. Defendant's motion for new trial denied.
	Judgment and Sentence- David Earl Fore (Age 21)
	Five (5) years commitment. (AEB-J)h
	Appeal bond of defendant set at \$10,000. (AEB-J)h

DATE	PROCEEDINGS
2-9-67	Order of J&C filed and entered. (AEB-J)h
2-9-67	Two c.c. of J&C delivered to USM. h
2-10-67	Appearance bond on appeal, amount \$10,000.00, Richard J. Strain and Myrtle M. Strain, sureties, filed. e
2-10-67	Order specifying methods and conditions of release, filed. e
2-17-67	Notice of appeal filed by defendant. h (copies delivered to attorneys of record)
3-27-67	Order extending time 30 days to docket appeal, filed. e (AEB-J)
4-25-67	Application for extension of time in which to docket record on appeal, filed. g
4-26-67	Order extending time to docket appeal thirty (30) days from 4-26-67, filed. (AEB-Judge)g
5-23-67	Transcript of trial proceedings (original + 1 copy), filed. LEM, Rptr. g
5-23-67	<del>Transcript of documents in lieu of appeal record forwarded to USCA, Denver. g</del>
5-23-67	Application for extension of time in which to docket record on appeal, filed. g
5-23-67	Order granting extension of 30 days in which to docket appeal, filed. (AEB-J)
6-23-67	Certificate of counsel for appellant that appeal record is complete, filed. g
6-23-67	Transcript in lieu of record on appeal forwarded to USCA, Denver. g
10-26-67	Record on appeal forwarded to USCA, Denver. g
3-25-68	Mandate from USCA, 10th Circuit, affirming judgment of 2-9-67, filed.
3-25-68	Opinion of USCA, filed. g Defendant notified to report. g
3-25-68	Two c.c. of J&C delivered to USM. g
4-23-68	Return on J&C filed. Executed by delivering defendant on 2-9-67 to Tulsa County Jail. Appeal noted, 2-9-68. Defendant released 2-10-67. Appeal determined on 3-25-68. Defendant delivered on 4-4-68 to Tulsa County jail and on 4-20-68, delivered to Federal Correctional Institution at Seagoville, Texas. Defendant in jail 19 days. ds

UNITED STATES COMMISSIONER  
Northern DISTRICT OF Oklahoma.

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE BENJAMIN B. BALLENGER  
(Name of commissioner)

FEDERAL BUILDING, TULSA, OKLAHOMA.  
(Address)

COMMISSIONER'S  
DOCKET No. 1 CASE No. 184  
THE UNITED STATES  
vs.  
DAVID EARL FORE (20)

Complaint filed on Oct. 27, 1966, by George D. Hafner.  
Official title Spec. Agt. F. B. I., charging violation of  
United States Code, Title 50 Appx Section 462, on July 14,  
1966, at Tulsa, Oklahoma in the  
division of the Northern district of Oklahoma.  
as follows: Wilfully & knowingly fail & neglect to  
perform a duty required of him under and in the ex-  
ecution of the Universal Military Training & Ser.  
Act, etc., & did fail & neglect to comply with an  
order of his local board to report for & submit to  
civilian work at the University of Kansas Medical  
Center, Kansas City, Kan. in lieu of induction into  
the Armed Service,

WARRANTS OR SUMMONS ISSUED:

Date October 27, 1966 Warrant/Summons for David Earl Fore, / the Armed Service,  
to (name and title of officer) To Any U. S. Marshal or Any Authorized U.S. Officer: (Name of defendant)  
Substance of return Arrested by: George D. Hafner, Spec. Agt. F. B. I.  
Date Warrant/Summons for  
to (name and title of officer)  
Substance of return

FILED  
16, 701  
NOV - 7 1966

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date October 28, 1966 Arrested by George D. Hafner, F.B.I.

NOBLE C. HOOD  
Clerk, U. S. District Court  
on warrant of Benjamin B. Baller  
U.S. Commissioner (Name of issuing officer)  
without warrant.

Appearances { for United States (Name) (Address)  
for accused (Name) (Address)

Proceedings taken Defendant presented, advised of charges filed against him, his  
(Here insert with dates, when appropriate, a seriatim account of essential steps taken at hearing such as "complaint prepared,"  
right to counsel and a preliminary hearing. Def't. waived counsel for the  
if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"  
purpose of this hearing and signed WAIVER. Preliminary hearing was WAIVED  
if that is the fact; any adjournments taken, etc.  
Defendant advised bond fixed at \$1000.00. Defendant released on bond signed  
by his father.

Outcome HELD FOR COURT ACTION.

Bail fixed October 28, 1966 Amount, \$ 1000.00 Bonded Oct. 28, 1966, 19, by cash  
deposited by (name) Address  
transmitted to clerk of district court, 19, [or] by surety  
(name) David Earl Fore, (Defendant) Address 6219 E. 11, Lot 35, Tulsa, Okla.  
(name) Earl Fore, (Father) Address 213 N. 89 East Ave, Tulsa, Okla.  
justified by affidavit dated October 28, 1966, [or] committed to  
on, 19.

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date\_\_\_\_\_Appearances for

United States

(Name)

(Address)

Accused

(Name)

(Address)

WITNESSES FOR UNITED STATES:

(List names and addresses)

WITNESSES FOR ACCUSED:

(List names and addresses)

Witness payroll containing\_\_\_\_\_names certified to United States Marshal for payment\_\_\_\_\_, 19\_\_\_\_  
Proceedings taken\_\_\_\_\_

Outcome\_\_\_\_\_

Bail fixed\_\_\_\_\_, 19\_\_\_\_ Amount, \$\_\_\_\_\_ Bonded\_\_\_\_\_, 19\_\_\_\_, by cash  
deposited by (name)\_\_\_\_\_ Address\_\_\_\_\_  
transmitted to clerk of district court\_\_\_\_\_, 19\_\_\_\_  
[or] by surety (names)\_\_\_\_\_ Address\_\_\_\_\_  
and\_\_\_\_\_ Address\_\_\_\_\_  
who justified by affidavit\_\_\_\_\_, 19\_\_\_\_ Committed to\_\_\_\_\_  
on\_\_\_\_\_, 19\_\_\_\_

Certified to be a correct transcript.

Made this 2nd day of November, 19 66

Transmitted to Clerk of United States District Court for the Northern  
district of Oklahoma, November 2nd, 19 66

*Benjamin B. Ballenger*

United States Commissioner.